

08/854,349



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/854,349	05/12/97	EBERHARD J	028453\0118

LM32/1022

FOLEY & LARIMER  
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WASHINGTON DC 20007-8596

JOHNS, A

EXAMINER	
JOHNS, A	
ART UNIT	PAPER NUMBER
2721	11

DATE MAILED: 12/98

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

See attached Notice of Allowability.

Andrew W. Johns  
Primary Examiner  
Art Unit 2721

## Notice of Allowability

Application No.  
**08/854,349**

Applicant(s)  
**Eberhard et al.**

Examiner  
**Andrew W. Johns**

Group Art Unit  
**2721**



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to the amendment and terminal disclaimer filed 10/8/98.

☒ The allowed claim(s) is/are 20 and 23-31.

☐ The drawings filed on \_\_\_\_\_ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☒ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. 5.

☒ including changes required by the proposed drawing correction filed on 10/8/98, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

### Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance

### REASONS FOR ALLOWANCE

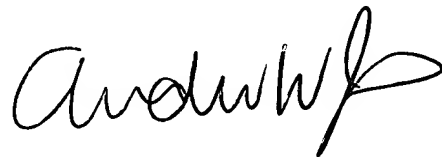
1. The following is an examiner's statement of reasons for allowance: Applicant's terminal disclaimer is acceptable and overcomes the non-statutory double patenting rejection. Furthermore, none of the prior art teaches or suggests that the specific features claimed can be used to inspect luggage contents for explosives or delamination in a composite material, as now variously required by the claims, so that each of the claims is allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Johns whose telephone number is (703) 305-4788. The examiner can normally be reached on Monday-Friday from about 7:00 to about 3:30. The examiner may also be contacted by e-mail using the address: [andrew.johns@uspto.gov](mailto:andrew.johns@uspto.gov).

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Leo Boudreau, can be reached on (703) 305-4706. The fax phone number for official communications is (703) 308-6606 and the fax phone number for unofficial or draft communications is (703) 308-5397. All unofficial communications should be clearly labeled as "Draft."

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.



ANDREW W. JOHNS  
PRIMARY EXAMINER

A. Johns  
October 21, 1998



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: Box ISSUE FEE  
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

**NOTICE OF ALLOWANCE AND ISSUE FEE DUE**

LM32/1022

FOLEY & LARDNER  
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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/854,349	05/12/97	010	JOHNS, A 2721	10/22/98
First Named Applicant	EBERHARD,	35 USC 154(b) term ext. = 0 Days.		

TITLE OF INVENTION X-RAY COMPUTED TOMOGRAPHY (CT) SYSTEM FOR DETECTING THIN OBJECTS

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
2 028453\0118	382-100.000	K64	UTILITY	NO	\$1320.00	01/22/99

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

- I. Review the SMALL ENTITY status shown above.  
If the SMALL ENTITY is shown as yes, verify your current SMALL ENTITY status:
  - A. If the status is changed, pay twice the amount of the FEE DUE shown and notify the Patent and Trademark Office of the change in status, or
  - B. If the status is the same, pay the FEE DUE shown above.
- If the SMALL ENTITY is shown as NO:
  - A. Pay FEE DUE shown above, or
  - B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.
- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "6b" of Part B should be completed.
- III. All communications regarding this application must give application number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Patents Issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**